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U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In re)	Administrative Order No. 98-4
)	
ADMINISTRATION OF)	JUDGE RANDOLPH BAXTER
CHAPTER 13 CASES IN)	JUDGE DAVID F. SNOW
THE CLEVELAND COURT)	JUDGE PAT E. MORGENSTERN-CLARREN

**AMENDED AND RESTATED ORDER GOVERNING PROCEDURE
FOR ALLOWANCE OF ATTORNEYS FEES IN CHAPTER 13 CASES**

The policy reflected in this Order has been adopted to promote the fair and efficient administration of Chapter 13 cases, as well as to provide appropriate supervision and control of fee awards to debtors' attorneys. This Order applies to all Chapter 13 cases filed in the Cleveland Court from and after the date hereof and amends, restates and supersedes Administrative Orders Nos. 97-4 (Judge Baxter), 96-6 (Judge Morgenstern-Clarren) and 97-3 (Judge Snow) in respect of such cases. This Order is entered in accordance with Local Bankruptcy Rule 2016-1(b).

IT IS ORDERED THAT:

1. If the total fee (including expenses other than filing fees) requested by counsel for debtors is (a) \$900 or less; or (b) \$1,200 or less, and the fee arrangement provides that \$300 or less will be paid prior to the filing of the bankruptcy petition with the balance to be paid through the chapter 13 plan, then those fees may be allowed by the Court in the Order confirming debtor's plan of

reorganization based on the compensation statement signed by the attorney without additional application. Debtor's attorney shall, however, at the request of the Court or any party in interest submit a detailed fee application in accordance with the Guidelines for Compensation and Expense Reimbursement of Professionals, prescribed under Local Bankruptcy Rule 2016-1(a) (the "Guidelines"). Copies of the Guidelines are available in the Clerk's office.

2. If counsel seeks fees exceeding the limits set forth above, counsel shall submit a detailed fee application in accordance with the Guidelines. This requirement applies to initial fee applications as well as to additional or supplemental applications. In the case of an additional or supplemental application, the application shall also (a) describe in detail the services provided from the beginning of the case in accordance with the Guidelines and (b) attach the debtor's authorization for allowance of those fees. Without limiting the applicability of the Guidelines, counsel's attention is directed to the requirements that such applications are to be based on time records kept contemporaneously with the activity recorded and that the individual who performed the activity must be identified by name, billing rate, activity, and amount of time expended. Guidelines §§ 7, 9.


3. Applications made under paragraph 2 may be set for hearing at the request of the Court or any party in interest.

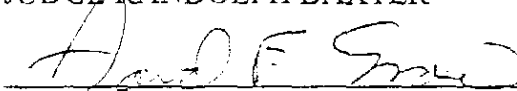
4. If counsel does not timely file the confirmation order as required by Administrative Order No. 98-3, then fees will only be allowed as provided for in that Order.

5. In accordance with the Bankruptcy Code and Rules, no attorney may, directly or indirectly, receive fees in respect of a case after the case is filed and while it is pending other than by Court Order.

6. All attorneys are strongly encouraged to enter into written fee agreements with their clients.

October 20, 1998


JUDGE RANDOLPH BAXTER


JUDGE DAVID F. SNOW


JUDGE PAT E. MORGENSTERN-CLARREN